



Fw: Processing and disposal of Midnite Mine Water Treatment Plant material in the Denison Mines White Mesa Mill Facility

Terry Brown to: Nancy Morlock

Cc: Mike Gansecki

12/15/2010 10:24 AM

Hi Nancy - **b(5) Deliberative Process**

I received an email request (attached below) to ship CERCLA waste to the White Mesa Mill in Utah.

b(5) Deliberative Process

I have also spoke with the original requester, Mr.Toby Wright to let him know that EPA decision will be delayed until the Utah DRC gets back to us. Thanks.

-Terry

----- Forwarded by Terry Brown/R8/USEPA/US on 12/15/2010 09:27 AM -----

From: Terry Brown/R8/USEPA/US
To: rlundberg@utah.gov
Date: 12/02/2010 04:57 PM
Subject: Fw: Processing and disposal of Midnite Mine Water Treatment Plant material in the Denison Mines White Mesa Mill Facility

Hello Rusty - I didn't realize that you were promoted to the Director of the Utah DRC. Congratulations. Sorry to be sending this email request to you since you're now the Director of DRC, but I don't know who at the UDRC could best answer these questions.

As you probably know, EPA has the responsibility for determining whether a facility is allowed to receive CERCLA waste under the CERCLA Off-Site Rule (OSR). Under the OSR, EPA evaluates a facility on current compliance and ground water releases. The OSR requires EPA to contact the regulating agency, in this case the Utah DRC, to obtain the current compliance status of the facility and whether uncontrolled ground water releases are occurring.

We received the email below that request an OSR determination for the White Mesa Uranium Mill in Blanding, Utah. Since the UDRC is the main regulating agency, can you please provide us with the following answers to the following questions:

1. Is the White Mesa Uranium Mill in compliance with UDRC regulatory standards or permit?
2. Are there any uncontrolled ground water releases at the White Mesa Uranium Mill?

Thanks.

-Terry Brown
303-312-6419

----- Forwarded by Terry Brown/R8/USEPA/US on 12/02/2010 04:31 PM -----

From: Toby Wright <wrightenv@gmail.com>
To: Terry Brown/R8/USEPA/US@EPA
Date: 12/02/2010 03:05 PM
Subject: Processing and disposal of Midnite Mine Water Treatment Plant material in the Denison Mines White Mesa Mill Facility

Dear Mr. Brown;

As we have previously discussed, Dawn Mining Company (DMC) is updating the Residuals Management Plan for the Midnite Mine Water Treatment Plant as part of the required actions at this CERCLA site (U.S. EPA Docket No. CERCLA-10-2009-0026). This updated plan proposes to transport the Midnite Mine Water Treatment Plant solids to Denison Mines (USA) Corp. (Denison) White Mesa Mill in Blanding, Utah, to be processed for its source material content.

Pursuant to this proposal and in compliance with the Off-Site rule requirements identified in 40 CFR Part 300.440(a)(4), I am requesting that EPA confirm that the Denison White Mesa Mill currently remains acceptable for the treatment, storage or disposal of CERCLA waste. Though DMC does not yet have approval for transport of these materials to the Denison facility nor would they initiate shipment before April 2011, we wish to include in the updated plan documentation that the facility currently meets the referenced acceptability requirements.

Your assistance with this request is greatly appreciated. Please feel free to contact me if you have any questions regarding this request.

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Toby Wright
Wright Environmental Services Inc.
3801 Automation Way, Suite 100
Fort Collins, CO 80525
(970) 231-1160
WrightEnv@gmail.com